

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

	x
	:
JUSTIN O'CONNOR, et al., on behalf of himself and all other similarly situated,	:
	Case No. 19-cv-5045
	:
Plaintiffs,	:
	Consolidated with Case
- against -	:
	Nos. 20-cv-1981, 20-cv-2095,
	20-cv-2612, and 21-cv-6540
	:
FORD MOTOR COMPANY,	:
	Magistrate Judge Maria Valdez
	:
Defendant.	:
	:
	x

**FORD MOTOR COMPANY'S ANSWERS AND OBJECTIONS TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Defendant Ford Motor Company (“Ford”) Answers and objects to Plaintiffs’ First Set of Interrogatories as follows:

PRELIMINARY STATEMENT

These Answers are made solely for the purpose of this action. Ford has not yet completed its investigation of the facts related to this litigation and discovery is continuing. Accordingly, the following Answers are based upon, and therefore necessarily limited by, the records and information still in existence, presently collected, and thus far discovered in the course of preparing these Answers. Ford reserves the right to produce at trial and make reference to any evidence, facts, documents, or information not yet discovered, or the relevance of which has not yet been identified, by Ford or its counsel.

Further, although Ford has identified materials that it will produce, Ford does not waive its objection that such documents are outside the proper scope of discovery. Ford does not stipulate

or otherwise admit that documents and other materials it produces are authentic, relevant, or admissible. Ford expressly reserves all objections to admission of these materials provided by the Federal Rules of Civil Procedure, the Federal Rules of Evidence, or any other applicable rules of evidence and procedure.

In addition, in several responses below, Ford identified specific information which it would search for and produce, and otherwise objected. Ford does not agree to search for information beyond what was identified in Ford's answers for the reasons set forth therein.

MANNER, TIMING AND COST OF PRODUCTION

Ford will produce documents in the manner and format as agreed in the parties Joint Status Report (ECF 86), filed October 21, 2021, and as set forth in Ford's proposed version of the parties' Joint Discovery Plan, which has been provided to and is under consideration by Plaintiffs.

Additionally, the production of information and documents containing trade secrets or other confidential research, development, or proprietary commercial information will be produced subject to a Protective Order, to which the parties have agreed in principle.

SPECIFIC OBJECTIONS TO PLAINTIFFS' DEFINITIONS

Ford objects to Plaintiffs' Definitions as follows:

Ford objects to the definition of "Class Vehicles" as overly broad, unduly burdensome and seeking irrelevant information because Plaintiffs' definition includes all vehicles equipped with a 10R80 transmission, and is not limited to the vehicles at issue in the Consolidated Amended Class Action Complaint (ECF 63) (the "Consolidated Complaint"). The putative class consists of "all persons in the United States and its territories who formerly or currently own or lease one or more of 2017 to 2020 Model Year Ford F-150 trucks with a 10R80 10-speed automatic transmission." (Consolidated Compl. ¶ 205.) This understanding was confirmed by Plaintiffs' counsel during the

parties' January 26, 2022 meet and confer. Accordingly, Ford will construe the term "Class Vehicles" to mean only 2017-2020 model year Ford F-150 pickup trucks equipped with a 10R80 transmission.

Ford objects to the definitions of "DEFENDANT," "FORD," "YOU," and/or "YOUR" because they are overly broad, unduly burdensome, seek information not relevant to the claims and defenses in this lawsuit, and would require Ford to provide information that is not within its possession, custody, or control. Plaintiffs' definition includes entities that are not parties to this lawsuit, including Ford's subsidiaries, predecessors and assignors. These definitions also do not identify a particular predecessor, assignor, subsidiary, director, officer, employee, agent, contractor, consultant, attorney or other person with any particularity, and is not limited by subject matter or connection to the allegations in this case. Further, a number of these entities are separate legal entities, which are not parties to this case, and Ford cannot respond on their behalf. In addition, this definition includes "attorneys" or any person acting or purporting to act on Ford's behalf, and accordingly, improperly seeks information that is or may be protected by the attorney-client privilege and the work product doctrine. Ford will construe the terms "Defendant," "Ford," "You," and/or "Your," to refer to Ford Motor Company and its employees in the United States.

Ford objects to the definition of "PLAINTIFFS" because it is overly broad and seeks information not relevant to the claims and defenses in this lawsuit. Plaintiffs' definition includes Justin O'Connor, who is no longer a party to this action following the Court's dismissal of all claims asserted by O'Connor in its October 19, 2021 Memorandum Opinion and Order (ECF 83).

OTHER SPECIFIC OBJECTIONS

Many of Plaintiffs' Interrogatories seek "all" or "any" documents or information within, or documents related to, a certain category. Ford objects to these Interrogatories because they are

overly broad, unduly burdensome and seek irrelevant documents and information, as there are numerous documents and information that could refer or relate to the categories in these Interrogatories, and Plaintiffs have failed to otherwise limit, or describe the information sought or reasonably particularize the categories of information sought. *See Heckler & Koch, Inc. v. German Sport Guns GMBH*, 2013 WL 5915196, *2 (S.D. Ind. Nov. 1, 2013) (“Language such as ‘any and all’ or ‘including but not limited to’ raise a red flag that the request is too broad”); *CTF Illinois v. Wesco Ins. Co.*, 2019 WL 9832190, at *5 (C.D. Ill. Nov. 1, 2019) (request for any documents “related to” a prior estimate places an undue burden on the responding party).

ANSWERS AND OBJECTIONS TO FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1: Identify all PERSONS who participated in providing facts or documents in response to any interrogatory or request for production, including each PERSON’S title, employment location, and the interrogatory or response for which the employee provided facts.

ANSWER: These are the Answers of Ford Motor Company located at One American Road, Dearborn, Michigan. Ford may be contacted through its counsel of record. These Answers were prepared by and under the supervision of Ford's attorneys, including counsel of record in this lawsuit, and with the assistance of Ford employees.

Beyond this, Ford objects to this Interrogatory because it is overly broad and seeks irrelevant information in that it improperly seeks discovery on discovery, i.e., the manner in which Ford responded to these Interrogatories. See *Gross v. Chapman*, No. 19 C 2743, 2020 WL 4336062, at *4 (N.D. Ill. July 28, 2020), citing *The Sedona Principles, Third Edition: Best Practices, Recommendations & Principles for Addressing Electronic Document Production*, 19 Sedona Conf. J. 1 (2018), Principle 6 at 123. Ford also objects to this Interrogatory because it

seeks information that is protected from disclosure by the attorney-client privilege and work product doctrine, including information that reflects legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 2: Identify (by name, complete street address, contact name, and telephone number) all PERSONS, including but not limited to FORD, its suppliers, and outside consultants, who have participated in the design, development, engineering, manufacture, production, assembly, testing, modification, or investigation of the TRANSMISSION in CLASS VEHICLES.

ANSWER: The design, development, engineering, manufacture, production, assembly, testing, modification, and investigation of field concerns for the 10R80 transmission are complex, iterative processes, which include the participation of numerous Ford employees, suppliers, and/or sub-suppliers. The identification of these individuals is dependent on the particular part, component, system, alleged concern, or issue with the 10R80 transmission. Accordingly, this Interrogatory cannot be distilled down to a single individual, group of individuals, or supplier without more information as to the identification of a specific subject matter. However, in an attempt to answer this Interrogatory, and as to the overall design, development, engineering, manufacture, production, assembly, testing, and modification of the 10R80 transmission, Ford participated in these activities. Ford also identifies the following Ford employees who had some level of participation in one or more of these activities and represent a reasonable and proportionate number of individuals involved:

- David Aho – Transmission Service Engineer
- Rob Gawronski – 10R80 Systems Supervisor
- Abigail Henning – Product Development Engineer, Transmission Systems
- Kara Kennedy - ICE/BEV Transmission Components & Systems Chief Engineer

- Kris Kwasniewicz - Transmission Driveline Engineering (TDE) 6R/10R Systems Manager
- Brian O’Neil (ret.) – Calibration Supervisor
- Kevin Norris - Engineering Manager, Transmission Systems
- Amy Schang - 10R Product Analyst

As to the complete street address, contact name, and telephone number of these individuals, Ford’s employees may be contacted through its counsel of record. Otherwise, Ford’s headquarters is located at One American Road, Dearborn, Michigan. As to testing, Ford also identifies AVL. AVL is an independent company which develops, simulates and/or tests powertrain systems, such as transmissions into vehicles. With respect to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, AVL performed certain vehicle testing and calibration support. AVL’s North American Headquarters is located at 45700 Mast Street, Plymouth, MI 48170, 734-414-9600. In addition, upon identification by Plaintiffs of a particular component or part of the 10R80 transmission at issue, Ford will attempt to answer further. Last, through Ford’s document production, additional Ford employees or suppliers who had responsibility for or participated in the design, development, engineering, manufacture, production, assembly, testing, and modification or investigation will be identified. Ford refers Plaintiffs to Ford’s anticipated document production.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to a reasonable timeframe, the claims in this case or to any particular component or part of the 10R80 transmission allegedly at issue. Ford also objects to this Interrogatory as unduly burdensome because the recreation of or search for all persons, which necessarily would have changed over the course of several years, as individuals, committees, departments and employees change positions, retire or otherwise move within the company or outside of Ford, would make this Interrogatory unreasonable and may be impossible

to respond to. Further, it is not limited to a reasonable or proportional number of individuals or even those with key knowledge related to this case or Ford's defenses and seeks the identification of individuals who do not have personal knowledge or may only have a passing knowledge related to the issues in this case. In addition, given the passage of time, and the fact that the design and development of a vehicle, including its component parts, takes place over a number of years, it would be difficult, if not impossible to identify all individuals, suppliers, sub-suppliers, and groups implicated by this Interrogatory. Ford further objects to this Interrogatory because it seeks information protected by the attorney-client privilege and/or work product doctrine, as it could encompass communications that reflect the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 3: Identify (by name, complete street address, contact name, and telephone number) all PERSON(S) from whom YOU purchased the TRANSMISSIONS or component parts of the TRANSMISSIONS in CLASS VEHICLES.

ANSWER: In general, Ford did not purchase the 10R80 transmission from a third party because Ford finally assembled the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks. With respect to the purchase of specific components or parts contained in the 10R80 transmission, Ford purchased them from various suppliers to Ford. There are hundreds of individual components or parts within the 10R80 transmission. Accordingly, this Interrogatory cannot be distilled down to a person or supplier without more information as to the identification of a specific component or part alleged to be at issue. Upon identification by Plaintiffs of a particular component or part of the 10R80 transmission at issue, Ford will attempt to answer further.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to any particular component or part of the 10R80 transmission allegedly at issue, to a reasonable timeframe or to the claims in this case. In addition, there are hundreds of components or parts within the transmission and the vast majority of them are not alleged to be at issue.

INTERROGATORY NO. 4: Identify by name and address all FORD authorized dealers, technicians, and service centers for the CLASS VEHICLES.

ANSWER: Ford will produce warranty claim history information for the 10R80 transmission assembly equipped in 2017-2020 Ford F-150 pickup trucks with respect to shift quality received through Ford's Global System for Analytics and Reporting ("GSAR"), which contains warranty reimbursement information by Ford to Ford dealerships related to warranty repairs, and identifies the servicing dealership. Ford will produce data from its North American Vehicle Information System ("NAVIS"), which will identify the number of 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission sold by Ford to independent Ford dealers in the United States, and will include the dealer that sold or leased the vehicle to the customer, and the state where Ford sold them.

Otherwise, this Interrogatory does not make sense because there is no specific Ford authorized dealer, technician or service center specifically dedicated solely to the putative Class Vehicles, and this Interrogatory does not identify any activity or task that authorized dealers, technicians, and service centers would perform. However, if this Interrogatory is seeking the identification of all Ford dealerships, which are independent entities and are not agents of Ford, this information is publicly available. For example, Plaintiffs may locate a Ford dealership at <https://www.ford.com/dealerships/?gnav=header-finddealer>. With respect to independent dealers

that sold or serviced the named Plaintiffs' pickup trucks, Ford refers Plaintiffs to the repair records for such vehicles, which are in Plaintiffs' possession.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome and as seeking irrelevant information because there are thousands of independent Ford dealerships that operate in the United States and there is no claim as to these dealerships in this case, it is unlimited in time, to any dealer, technician or service center, to Plaintiffs' claims, to any particular vehicle, to the 10R80 transmission or to any components or parts of the 10R80 transmission alleged to be defective, and because there is no subject matter associated with the request to identify these dealerships, service centers or technicians *vis a vis* the putative Class Vehicles.

INTERROGATORY NO. 5: Identify all PERSONS, including but not limited to FORD, its suppliers, and outside consultants, who have participated in any testing or investigation of the TRANSMISSION or TRANSMISSION components in CLASS VEHICLES.

ANSWER: The testing and investigation of field concerns for the 10R80 transmission are complex, iterative processes, which include the participation of numerous Ford employees, suppliers, and/or sub-suppliers. The identification of these individuals is dependent on the particular part, component, system, alleged concern, or issue with the 10R80 transmission. Accordingly, this Interrogatory cannot be distilled down to a single individual, group of individuals, or supplier without more information as to the identification of a specific subject matter. However, in an attempt to answer this Interrogatory, and as to the overall testing and investigation of field concerns involving the 10R80 transmission, Ford participated in these activities. Ford also identifies the following Ford employees who had some level of participation in one or more of these activities and represent a reasonable and proportionate number of individuals involved:

- Rob Gawronski – 10R80 Systems Supervisor
- Abigail Henning – Product Development Engineer, Transmission Systems
- Kara Kennedy - ICE/BEV Transmission Components & Systems Chief Engineer
- Brian O’Neil (ret.) – Calibration Supervisor
- Kevin Norris - Engineering Manager, Transmission Systems
- Amy Schang - 10R Product Analyst

As to the complete street address, contact name, and telephone number of these individuals, Ford’s employees may be contacted through its counsel of record. Otherwise, Ford’s headquarters is located at One American Road, Dearborn, Michigan. As to testing, Ford also identifies AVL. AVL is an independent company which develops, simulates and/or tests powertrain systems, such as transmissions into vehicles. With respect to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, AVL performed certain vehicle testing and calibration support. AVL’s North American Headquarters is located at 45700 Mast Street, Plymouth, MI 48170, 734-414-9600. In addition, upon identification by Plaintiffs of a particular component or part of the 10R80 transmission at issue, Ford will attempt to answer further. Last, through Ford’s document production, additional Ford employees or suppliers who had responsibility for or participated in testing or investigation will be identified. Ford refers Plaintiffs to Ford’s anticipated document production.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to the 10R80 transmission, to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, to any testing or investigation, to Plaintiffs’ claims in this case, to any particular component or part of the 10R80 transmission allegedly at issue, or to a reasonable timeframe. Ford also objects to this Interrogatory as unduly burdensome because the recreation of or search for all persons, which necessarily would have changed over the course of several years, as individuals, committees, departments and employees change positions, retire or otherwise move within the company, would make this Interrogatory

unreasonable and may be impossible to respond to. Further, this Interrogatory is not limited to a reasonable or proportional number of individuals or even those with key knowledge related to Plaintiffs' claims or Ford's defenses, and seeks the identification of individuals who do not have personal knowledge or may only have a passing knowledge related to the issues in this case. Given the passage of time, and the fact that the design and development of a vehicle, including its component parts, takes place over a number of years, it would be difficult, if not impossible to identify all individuals, suppliers, sub-suppliers, and groups implicated by this Interrogatory. Ford further objects to this Interrogatory because it seeks information protected by the attorney-client privilege and/or work product doctrine, as it could encompass documents and communications that reflect the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 6: For each entity, team, group, task force, consultant, consulting firm, or other PERSON that has investigated or analyzed a potential or actual trend, condition, issue, problem, or defect RELATING TO the TRANSMISSION, describe:

- a. The name and job title of each person involved, and to whom they reported;
- b. The time period during which the investigation or analysis took place;
- c. The nature of the condition, issue, problem, or defect at issue; and
- d. The nature of each investigation or analysis and its results, findings, recommendations, and conclusions.

ANSWER: Ford does not agree a defect exists in the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks. The investigation of field concerns or analysis of potential or actual trends, conditions, issues, problem or defects is a complex and iterative process, which involves

numerous Ford employees, as well as suppliers and/or sub-suppliers. The identification of these individuals is dependent on the particular part, component, system, alleged concern, or issue with the 10R80 transmission. Accordingly, the Answer to this Interrogatory is not the identification of a single individual, group of individuals, or supplier without more information as to the identification of a specific subject matter. As to the overall investigation and analysis of post-launch field concerns involving shift feel or shift quality in the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, Ford was involved in these activities. Ford also identifies the following Ford employees who had some level of participation in one or more of these activities and represent a reasonable and proportionate number of individuals involved:

- David Aho – Transmission Service Engineer
- Abigail Henning – Product Development Engineer, Transmission Systems
- Brian O’Neil (ret.) – Calibration Supervisor
- Amy Schang - 10R Product Analyst

As to the complete street address, contact name, and telephone number of these individuals, Ford’s headquarters is located at One American Road, Dearborn, Michigan. Ford may be contacted through its counsel of record. In addition, upon identification by Plaintiffs of a particular component or part of the 10R80 transmission at issue, Ford will attempt to answer further. Through Ford’s document production, additional Ford employees or suppliers who had responsibility for or participated in investigation and analysis of post-launch field concerns involving shift feel or shift quality in the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks will be identified. Ford refers Plaintiffs to Ford’s anticipated document production.

With respect to subpart (d), Ford will produce the following Technical Service Bulletins (“TSB”) involving 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift performance or quality:

- TSB 17-2262 (5.0L – Intermittent Runs Rough, Hesitation And/Or Transmission

Shudder – No Illuminated MIL Or DTC – Built On Or Before November 27, 2017)

- TSB 18-2079 (10R80 Automatic Transmission - Harsh or Delayed Shift Concerns and/or Illuminated MIL – DTC P0711 – Built On Or Before August 1, 2017)
- TSB 18-2274 (2.7L/3.5L/5.0L Engine And 10R80 Transmission – Harsh/Bumpy Shift And/Or Engagement Concerns – Built On Or Before May 15, 2018)
- TSB 21-2357 and TSB 21-2315 (10R80 – Harsh Engagement/Harsh Shift/Delayed Shift With Or Without DTCs)

Ford will also produce copies of reports from Ford's Critical Concern Review Group ("CCRG"), which reviews potentially critical production vehicle concerns, and which contain information regarding the 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and harsh or other shifting efforts, subject to a protective order. In addition, Ford will produce warranty analysis from Ford's Early Warning Response team regarding shift quality in 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks. Ford refers Plaintiffs to these documents for the names of persons involved with such analysis, and applicable dates.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to a relevant time period, to any investigation, trend, problem or concern, or to any particular alleged defect in the 10R80 transmission in 2017-2020 Ford F-150 pickup trucks, to any particular investigation or analysis, to any specific results, recommendations or conclusions, or to the claims in this case. Ford also objects to this Interrogatory as unduly burdensome because the recreation of or search for all persons, which necessarily would have changed over the course of several years, as individuals, committees, departments and employees change positions, retire or otherwise move within the company, would make this Interrogatory unreasonable and may be impossible to respond to. Ford further objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to a reasonable or proportional number of individuals or even

those with key knowledge related to Plaintiffs' claims or Ford's defenses, and seeks the identification of individuals who do not have personal knowledge or may only have a passing knowledge related to the issues in this case. In addition, given the passage of time, and the fact that the design and development of a vehicle, including its component parts, takes place over a number of years, it would be difficult, if not impossible to identify all individuals, suppliers, sub-suppliers, and groups implicated by this Interrogatory. Ford further objects to this Interrogatory because it seeks information protected by the attorney-client privilege and/or work product doctrine, as it could encompass documents and communications that reflect the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 7: Identify current or former FORD employees with knowledge RELATING TO each of the following areas:

- a. Research and development relating to the TRANSMISSIONS;
- b. Selection of TRANSMISSIONS or TRANSMISSION component parts from third party manufacturers and suppliers;
- c. Marketing and advertisement;
- d. Sales and distribution;
- e. Manufacturing;
- f. Quality control;
- g. Regulatory compliance;
- h. Consumer complaints;
- i. Warranty terms and provisions; and

j. Warranty claims and payments.

With respect to each of the foregoing, if any employee is no longer employed by YOU, state their last known address and telephone number.

ANSWER: On February 25, 2022, Plaintiffs withdrew this Interrogatory. No Answer or objection is required.

INTERROGATORY NO. 8: For every original equipment manufacturer (“OEM”) TRANSMISSION part installed in Class Vehicles, identify:

- a. The part number;
- b. The Ford vehicles, by make and model year, in which the part was factory-installed;
- c. The corresponding identifiers or codes used in Ford’s databases, systems, or software; and
- d. The supplier’s name, the supplier’s complete street address, contact name, and telephone number, and the time period(s) during which each supplier’s parts were used in vehicle production.

ANSWER: The 10R80 transmission is a complex system, which is made up of hundreds of components and parts, which are supplied to Ford by hundreds of suppliers, and/or sub-suppliers. The identification of these individuals or suppliers is dependent on the particular part or component for which information is sought. However, in an attempt to answer this Interrogatory, Ford provides the following information as to subparts (a)-(c) or portions thereof:

- a. The base part number for the 10R80 transmission assembly used in 2017-2020 Ford F-150 pickup trucks is JL3P-7000.
- b. With respect to putative class vehicles, 2017 Ford F-150 pickup trucks with a 3.L EcoBoost V6 engine were equipped with the 10R80 transmission, and 2018-2020

Ford F-150 pickup trucks equipped with all engines except for the 3.3L V6 were equipped with the 10R80 transmission.

- c. Ford is not clear what Plaintiffs are seeking with respect to subpart (c). In an effort to answer this subpart, Ford refers to the transmission at issue as the 10R80 transmission.

Otherwise, upon identification by Plaintiffs of a particular component or part of the 10R80 transmission at issue, Ford will attempt to answer further.

Beyond this, including as to subparts (c) and (d), Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to the putative class vehicles, which are 2017-2020 Ford F-150 pickup trucks, to a reasonable or relevant timeframe, or to any particular components or parts of the 10R80 transmission alleged to be defective, to any identifier or code, to any database, system or software, to any supplier, or to Plaintiffs' claims in this case. Further, Ford objects to this Interrogatory as overly broad and unduly burdensome because there are hundreds of components and parts used in the 10R80 transmission, and this Interrogatory seeks to require Ford to identify each such part, along with the supplier's name, address, contact name, telephone number and the year each part(s) were used in vehicle production, when there is no subject matter associated with the request to identify these parts and suppliers.

INTERROGATORY NO. 9: Identify all databases, systems, or software used in connection with each of the following:

- a. Detection of and communication about potential vehicle quality concerns, both pre-and post-production;

- b. Analysis of potential vehicle quality concerns, including through use of business intelligence, such as vehicle and consumer data and projections;
- c. Actual or anticipated failure or replacement rates;
- d. Durability data;
- e. Consumer complaints;
- f. Warranty claims data;
- g. Part sales, replacements, or returns data;
- h. Condition, issue, problem, or defect occurrence rates;
- i. Internal or supplier investigations of potential vehicle quality concerns or quality data, including but not limited to quality defect data;
- j. Root cause or other problem-solving actions, corrective and containment actions or reports, and related decision-making;
- k. Lessons learned and other corporate memory regarding past or solved vehicle quality concerns or defects;
- l. Quality analysis reports, summaries, or memoranda;
- m. Safety monitoring, testing, or data;
- n. Agency investigations; and
- o. Shared Information and communication between FORD entities.

ANSWER: On February 25, 2022, Plaintiffs withdrew this Interrogatory. No Answer or objection is required.

INTERROGATORY NO. 10: For each code or identifier that corresponds to a potential or actual condition, issue, problem or defect affecting the TRANSMISSION installed in any CLASS VEHICLE, identify:

- a. The condition, issue, problem, or defect, and
- b. The FORD databases, systems, or software in which the code or identifier can be used or found.

ANSWER: Ford does not agree a defect exists in the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks. With respect to the transmission in general, and as to a potential condition, issue or problem, Ford refers Plaintiffs generally to the Owner's Guide for 2017-2020 Ford F-150 pickup trucks, which are available for viewing at no charge at www.owner.ford.com, which contains information regarding codes applicable to the 10R80 transmission.

Otherwise, with respect to subpart (a), Ford will produce the transmission section of the Workshop Manual applicable to the 10R80 transmission in 2017-2020 Ford F-150 pickup trucks, which contains information responsive to this Interrogatory. The entire manual is available for purchase from Helm, Inc., P.O. Box 07150, Detroit, Michigan 482017, helminc.com. Ford will also produce a Subsystem Specific Diagnostic Specification for the 10R80 transmission, which contains information regarding and describing Diagnostic Trouble Codes ("DTCs") applicable to shift feel and shift quality in the 10R80 transmission. Ford will further produce the following Technical Service Bulletins ("TSB") involving 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift performance or quality, which identify TSBs and repair/claim coding information:

- TSB 17-2262 (5.0L – Intermittent Runs Rough, Hesitation And/Or Transmission Shudder – No Illuminated MIL Or DTC – Built On Or Before November 27, 2017)
- TSB 18-2079 (10R80 Automatic Transmission - Harsh or Delayed Shift Concerns and/or Illuminated MIL – DTC P0711 – Built On Or Before August 1, 2017)
- TSB 18-2274 (2.7L/3.5L/5.0L Engine And 10R80 Transmission – Harsh/Bumpy Shift And/Or Engagement Concerns – Built On Or Before May 15, 2018)
- TSB 21-2357 and TSB 21-2315 (10R80 – Harsh Engagement/Harsh Shift/Delayed Shift With Or Without DTCs)

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to a reasonable or relevant timeframe, to the specific transmission components or parts alleged to be at issue in this case, to any specific or alleged malfunction, problem or concern, or to any particular database, system or software, or to Plaintiffs' claims with respect to the 10R80 transmission. Ford also objects to this Interrogatory because it fails to describe the information being sought with reasonable particularity as to the general request for codes or identifiers without any other identifying information. Further, the manner in which Ford stores and manages its data and the people that manage or store that data have nothing to do with any of the claims and defenses in this case. The Interrogatory could encompass hundreds of other downstream applications, databases and other systems, which are unrelated to the merits of this case. In addition, the names or identification of databases, systems and software in which codes or identifiers can be used or found is unrelated to whether the 10R80 transmission is defective in the manner claimed by Plaintiffs. Ford also objects to this Interrogatory because it seeks information protected by the attorney-client privilege and/or work product doctrine, as this Interrogatory could include information that reflects the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 11: Identify (separately for each model and model year) the total number of new CLASS VEHICLES sold or leased by state.

ANSWER: The number of 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission sold or leased by Ford to independent Ford dealers in the United States by state are set forth below:

State	2017MY	2018MY	2019MY	2020MY
AK	320	1,026	813	691
AL	1,420	10,235	7,540	7,331
AR	1,233	5,344	5,041	4,400
AZ	2,906	10,448	13,201	7,742
CA	9,453	39,058	25,796	20,322
CO	3,626	10,550	8,070	6,085
CT	527	2,700	1,951	1,427
DE	280	1,385	953	758
FL	6,313	32,459	22,641	21,821
GA	3,707	23,322	17,808	15,386
HI	236	1,191	870	675
IA	2,017	8,125	6,681	5,470
ID	1,541	4,709	3,609	2,907
IL	3,548	16,097	12,450	11,260
IN	2,215	11,472	8,404	7,009
KS	1,538	5,892	4,848	3,720
KY	1,375	6,102	4,905	3,813
LA	2,406	12,423	10,119	6,927
MA	1,293	8,420	5,312	4,471
MD	2,051	11,368	9,656	7,411
ME	399	3,515	2,385	2,258
MI	4,664	37,350	30,802	26,169
MN	3,621	17,006	13,068	11,157
MO	3,580	16,183	14,394	12,511
MS	909	6,293	5,035	3,559

MT	816	2,736	1,917	1,931
NC	3,340	15,820	12,493	11,664
ND	947	4,445	3,242	2,435
NE	1,707	6,581	5,319	4,302
NH	517	3,690	2,796	2,508
NJ	3,458	14,579	11,040	7,381
NM	1,002	4,066	3,184	2,595
NV	1,258	4,114	2,745	2,221
NY	3,134	21,322	15,436	11,267
OH	3,976	21,576	16,472	13,945
OK	8,900	44,776	39,517	28,514
OR	1,742	5,317	3,831	2,988
PA	4,322	22,958	18,306	12,844
RI	129	1,286	679	485
SC	1,195	7,352	5,783	5,507
SD	899	3,760	2,556	2,194
TN	2,119	11,324	8,858	7,285
TX	15,484	87,919	66,008	53,189
UT	2,629	6,756	6,174	3,906
VA	2,489	11,328	8,412	7,983
VT	320	2,407	1,639	1,349
WA	2,294	8,344	6,042	4,728
WI	2,995	15,580	10,649	8,695
WV	752	3,839	2,956	2,270
WY	483	1,455	1,257	785
Total	128,085	636,003	493,663	398,251

Otherwise, in general, Ford does not sell or lease vehicles to individual consumers. Instead, Ford sells new vehicles to independent Ford dealerships, who in turn sell or lease new and used vehicles to the general public, among others.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to the allegations at issue, to 2017-2020 Ford F-150 vehicles equipped with a 10R80 transmission, or to a reasonable timeframe.

INTERROGATORY NO. 12: Identify by model and model year all vehicles manufactured, marketed, or distributed by FORD for which a factory-installed 10R80 transmission was available.

ANSWER: The models and model years of vehicles Ford finally assembled, marketed, in part, and distributed, which contained a factory-installed 10R80 transmission include the 2017 MY F-150 pickup trucks equipped with a 3.5L EcoBoost V6 engine, 2018-2019MY F-150 pickup trucks except those with a 3.3L V6 engine, all 2018 – 2020 MY Mustangs equipped with a 2.3L or 5.0L V8 engine (automatic only), all 2019 – 2020 MY Rangers, all 2018 – 2020 MY Expeditions, and all 2018 – 2020 MY Navigators. Further, with respect to distributing vehicles, Ford generally sells and distributes its vehicles to independent authorized dealers who, in turn, sells them to the public.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to the allegations at issue, to 2017-2020 Ford F-150 pickup trucks alleged to be at issue in this case or to a reasonable timeframe. Moreover, individual dealerships and/or dealer groups may have prepared their own advertising. Ford further objects to this Request because it is not limited to materials commissioned by Ford, and seeks documents and information that are not in Ford's possession, custody, or control.

INTERROGATORY NO. 13: Describe in detail the policies, practices, and procedures that FORD has followed for purposes of determining whether to repair or replace TRANSMISSIONS under any FORD warranty program.

ANSWER: In general, Ford does not repair or replace transmissions in individual customers' vehicles. Instead, independent Ford dealerships repair or replace transmissions in Ford vehicles. Otherwise, Ford will produce the scheduled Maintenance Guides for 2017-2020 Ford F-150 pickup trucks, is available for viewing and/or download at no charge at <https://owner.ford.com/tools/account/how-tos/owner-manuals.html> and/or <https://owner.ford.com/tools/account/maintenance/maintenance-schedule.html>, which contains information about warranty coverage for 2012-2020 Ford F-150 pickup trucks. Ford will also produce, subject to a protective order, its Warranty Policy and Procedure Manual applicable to the years 2017-2020, which correspond to the model years of the putative class vehicles, which contains information to assist dealers with warranty claims to Ford. Ford will further produce the following Technical Service Bulletins ("TSB") involving 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shifting quality or shifting efforts and any applicable warranty coverage:

- TSB 17-2262 (5.0L – Intermittent Runs Rough, Hesitation And/Or Transmission Shudder – No Illuminated MIL Or DTC – Built On Or Before November 27, 2017)
- TSB 18-2079 (10R80 Automatic Transmission - Harsh or Delayed Shift Concerns and/or Illuminated MIL – DTC P0711 – Built On Or Before August 1, 2017)
- TSB 18-2274 (2.7L/3.5L/5.0L Engine And 10R80 Transmission – Harsh/Bumpy Shift And/Or Engagement Concerns – Built On Or Before May 15, 2018)
- TSB 21-2357 and TSB 21-2315 (10R80 – Harsh Engagement/Harsh Shift/Delayed Shift With Or Without DTCs)

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant information because it is not limited to the alleged defect at issue in 2017-2020

Ford F-150 pickup trucks, to any particular transmission repair or replacement, to any particular circumstance preceding a transmission repair or replacement, to a reasonable or relevant timeframe, to any particular components or parts of the 10R80 transmission alleged to be defective, or to any particular warranty or particular aspect of such warranty. Further, where this Interrogatory is seeking information as to warranty repairs, the facts and circumstances surrounding vehicle repairs, including those made pursuant to a vehicle warranty, vary widely depending on any number of factors, such as owner maintenance, use, or environmental conditions, and therefore, are not substantially similar to those allegedly experienced by the named Plaintiffs. Ford also objects to this Interrogatory because it seeks information protected by the attorney-client privilege and/or work product doctrine, as this Interrogatory could include information that reflects the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction and supervision.

INTERROGATORY NO. 14: Identify every CLASS VEHICLE where the TRANSMISSIONS has been repaired or replaced for harsh shifting, hesitation, or jerking, by make, model, model year, VIN number, last known owner, the state in which each vehicle was sold or leased, and name of the dealership or mechanic who provided the repair or replacement of the TRANSMISSIONS.

ANSWER: With respect to warranty repairs, Ford will produce warranty claim history information for the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks with respect to shift quality received through Ford's Global System for Analytics and Reporting ("GSAR"), which will contain information regarding repair or replacement of 10R80 transmissions, parts or components made pursuant to warranty, and will identify the make, model, model year, as well as the dealership at which such repair or replacement was made. Such data

may include information relating to issues other than those that Plaintiffs contend exist in 2017-2020 Ford F-150 pickup trucks equipped with 10R80 transmissions, but because concerns such as those asserted by Plaintiffs cannot always be readily segregated from other related concerns, the documents provided by Ford will, to some degree, unavoidably be over-inclusive or duplicative. Further, to protect privacy and personally identifiable information, the documents may be redacted or produced subject to the protective order in this matter. Otherwise, in general, Ford does not repair or replace transmissions in individual customers' vehicles. Instead, independent Ford dealerships repair or replace transmissions in Ford vehicles. Accordingly, Ford dealerships would or may have information regarding the mechanic who provided the repair or replacement of each transmission.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to any transmission repair or replacement, any particular owner, state or dealership, the circumstances giving rise to the request for transmission repair or replacement, to any mechanic, to a reasonable or relevant timeframe, to the specific transmission components or parts alleged to be at issue in this case, or to any specific or alleged malfunction, problem or concern. Further, the facts and circumstances surrounding vehicle repairs, including those made pursuant to a vehicle warranty, vary widely depending on any number of factors, such as owner maintenance, use, or environmental conditions, and therefore, are not substantially similar to those allegedly experienced by the named Plaintiffs. As to requests for transmission repair or replacement, which are often based on customer concerns or complaints, other customers sometimes do not clearly articulate the basis for the concern or complaint or clearly identify any alleged defect or other issue with the vehicle, or customer concerns or complaints are unique to each customer and each vehicle. The facts and circumstances

surrounding other complaints vary widely depending on any number of factors, such as owner maintenance, use, or environmental conditions, and therefore, are not substantially similar to those allegedly experienced by the named Plaintiffs. In addition, Ford objects to this Interrogatory as overly broad and seeking irrelevant information because Plaintiffs are not entitled to the VIN and last known owner's name given that no class has been certified and no legitimate need for the information has been shown. Ford protects the personally identifiable information of its customers and courts have held that the information sought in this Interrogatory is not relevant to pre-class certification as the issues related to class certification can be determined without reference to private customer information. See *Bilek, v. National Congress of Employers, Inc., et al.*, 2022 WL 523108, at *1 (N.D. Ill. Feb. 22, 2022); *Swelnis v. Universal Fid. L.P.*, 2014 WL 1571323, at *2-3 (N.D. Ill. Apr. 17, 2014) (Cherry, P., M.J.) ("...the names and addresses of potential class members do not fall within the scope of allowable discovery under Federal Rule of Civil Procedure 26(b)(1). 437 U.S. 340, 353, 98 S.Ct. 2380, 57 L.Ed.2d 253 (1978)."); see *Hazlitt v. Apple Inc.*, No. 3:20-CV-421-NJR, 2021 WL 2457987, at *3 (S.D. Ill. June 16, 2021) citing *Duffy v. Illinois Tool Works Inc.*, No. 15-CV-7407(JFB)(SIL), 2018 WL 1335357, at *6 (E.D.N.Y. Mar. 15, 2018) ("[P]rivate individuals have a privacy interest in avoiding disclosure of their names and addresses.... Consistent with these concepts, the Supreme Court has held that the pre-certification production of class members' names is not compatible with Federal Rule 26's "relevancy" standard.)

INTERROGATORY NO. 15: Identify the total number, date(s) and amount of any payment or credit requests YOU received RELATING TO CLASS VEHICLE's TRANSMISSIONS by state, including but not limited to payments or credits requested by YOUR authorized dealers and service centers, as well as the disposition of such requests.

ANSWER: As to payments or credits (which Ford interprets to mean warranty reimbursement requests) by Ford to Ford dealerships related to warranty repairs, Ford will produce warranty claim history information for the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks with respect to shift quality received through Ford's Global System for Analytics and Reporting ("GSAR"), which contains warranty reimbursement information by Ford to Ford dealerships related to warranty repairs. This data may include information relating to issues other than those that Plaintiffs contend exist in 2017-2020 Ford F-150 pickup trucks equipped with 10R80 transmissions, but because concerns such as those asserted by Plaintiffs cannot always be readily segregated from other related concerns, the documents provided by Ford will, to some degree, unavoidably be over-inclusive or duplicative. Further, to protect privacy and personally identifiable information, the documents may be redacted or produced subject to the protective order in this matter.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to any particular payment or credit, to any dealer or service center, or disposition of request, the circumstances giving rise to the request for payment or credit, to a reasonable or relevant timeframe, to any specific malfunction, problem or concern, or to the specific transmission components or parts alleged to be at issue in this case, to the 10R80 transmission, or to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup truck.

INTERROGATORY NO. 16: Identify, by model and model year, the total number of complaints YOU received from consumers that RELATED TO, or may RELATE TO, the alleged defect in factory-installed TRANSMISSION and whether YOU completed a repair or replacement or not, on an annual basis.

ANSWER: While Ford does not agree there is a defect in the 10R80 transmission, as to complaints received from consumers, Ford will produce warranty claim history information for the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks with respect to shift quality received through Ford's Global System for Analytics and Reporting ("GSAR"), which contains warranty reimbursement information by Ford to Ford dealerships related to warranty repairs. Ford further will produce communications between Ford and the individuals calling Ford through its call center received through Ford's Global Contact Center Technology ("GCCT") application for 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks with respect to shifting quality or shifting efforts which contains information regarding feedback, concerns, or complaints from the caller. The above documents will be produced subject to the protective order in this case.

In addition, Ford will produce customer survey and other customer feedback data, which contains information as to product quality and customer satisfaction for 2017-2020 Ford F-150 pickup trucks received by Ford through its Global Quality Research System ("GQRS") and Quality Net Promotor Score ("QNPS") tools, and pertaining to shifting quality or shifting efforts for the 10R80 transmission.

The above information being produced may include information relating to issues other than those that Plaintiffs contend exist in 2017-2020 Ford F-150 pickup trucks equipped with 10R80 transmissions, but because concerns such as those asserted by Plaintiffs cannot always be readily segregated from other related concerns, the documents provided by Ford will, to some degree, unavoidably be over-inclusive or duplicative. Further, to protect privacy and personally identifiable information, the documents may be redacted or produced subject to the protective order in this matter.

In addition, Ford is aware of certain legal actions involving 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift feel or shift quality concerns, including the instant litigation pending in the United States District Court for the Northern District of Illinois. Ford refers Plaintiffs to the pleadings, discovery, and other documents exchanged in the instant matter. Further, facts and circumstances surrounding other legal actions are substantially dissimilar to those involved in the subject lawsuit. For example, factors such as owner use, operation and maintenance, as well as environmental conditions, will vary between the particular incidents. Other legal actions sometimes do not clearly state the basis for a claim or to clearly identify the alleged product defect. Ford will produce a list of lawsuits and non-litigated claims in the United States received by Ford's Office of the General Counsel before January 1, 2022 that could reasonably be identified, which appear to concern non-injury or property damage claims in 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift feel or shift quality. Ford's list will contain, if available, the file name, jurisdiction, court, docket number, accident date, service date, file status (i.e., pending or closed), Plaintiffs' attorney's name, and model/model year of vehicle, to the extent available.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to any customer complaint or the circumstances giving rise to the complaint, to a reasonable or relevant timeframe, to 2017-2020 Ford pickup trucks equipped with a 10R80 transmission, to the specific transmission components or parts alleged to be at issue in this case, to any specific or alleged malfunction, problem or concern or to the claims in this case, and fails to identify with reasonable specificity the complaints for which Plaintiffs seek additional information. In particular, as to customer concerns or complaints or other transmission repairs or replacements, customers sometimes do not clearly

articulate the basis for their complaint or clearly identify any alleged defect or other issue with their vehicle, or customer concerns or complaints are unique to each customer and each vehicle. The facts and circumstances surrounding other complaints vary widely depending on any number of factors, such as owner maintenance, use, or environmental conditions, and therefore, are not substantially similar to those allegedly experienced by the named Plaintiffs. The term alleged defects is also overly broad and undefined, and fails to identify with reasonable specificity the information requested.

In addition, Ford objects to this Interrogatory as overly broad and seeking irrelevant information because Plaintiffs are not entitled to the VIN given that no class has been certified and no legitimate need for the information has been shown. Ford protects the personally identifiable information of its customers and courts have held that the information sought in this Interrogatory is not relevant to pre-class certification as the issues related to class certification can be determined without reference to private customer information. See *Bilek, v. National Congress of Employers, Inc., et al.*, 2022 WL 523108, at *1 (N.D. Ill. Feb. 22, 2022); *Swelnis v. Universal Fid. L.P.*, 2014 WL 1571323, at *2-3 (N.D. Ill. Apr. 17, 2014) (Cherry, P., M.J.) (“...the names and addresses of potential class members do not fall within the scope of allowable discovery under Federal Rule of Civil Procedure 26(b)(1). 437 U.S. 340, 353, 98 S.Ct. 2380, 57 L.Ed.2d 253 (1978).”).

INTERROGATORY NO. 17: Identify, by model and model year, the total number of complaints and reports YOU received from dealers and service contract providers that RELATED TO, or may RELATE TO, the alleged defect in the TRANSMISSION and whether YOU completed a repair or replacement or not, on an annual basis.

ANSWER: While Ford does not agree there is a defect in the 10R80 transmission, as to complaints or reports received from independent Ford dealers, Ford will produce warranty claim

history information for the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks with respect to shift quality received through Ford's Global System for Analytics and Reporting ("GSAR"), which contains warranty reimbursement information by Ford to Ford dealerships related to warranty repairs. In addition, Ford will produce communications between Ford and its dealers regarding technical inquiries or concerns for 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission with respect to shifting quality or shifting efforts and as reflected in records from Ford's Global Common Quality Indicator System ("GCQIS"), which may include customer concerns or narratives.

The above information being produced may include information relating to issues other than those that Plaintiffs contend exist in 2017-2020 Ford F-150 pickup trucks equipped with 10R80 transmissions, but because concerns such as those asserted by Plaintiffs cannot always be readily segregated from other related concerns, the documents provided by Ford will, to some degree, unavoidably be over-inclusive or duplicative. Further, to protect privacy and personally identifiable information, the documents may be redacted or produced subject to the protective order in this matter.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to any complaint or the circumstances giving rise to the complaint, to a reasonable or relevant timeframe, to the specific transmission components or parts alleged to be at issue in this case, to 2017-2020 Ford pickup trucks equipped with a 10R80 transmission, or to any specific or alleged malfunction, problem or concern, and fails to identify with reasonable specificity the complaints for which Plaintiffs seek additional information. In particular, as to concerns or complaints from dealers, which are or may be based on concerns or complaints from customers, other customers sometimes do not clearly

articulate the basis for the concern or complaint or clearly identify any alleged defect or other issue with the vehicle. The facts and circumstances surrounding other complaints vary widely depending on any number of factors, such as owner maintenance, use, or environmental conditions, and therefore, are not substantially similar to those allegedly experienced by the named Plaintiffs. The term alleged defects is also overly broad and undefined, and fails to identify with reasonable specificity the information requested.

INTERROGATORY NO. 18: For each CLASS VEHICLE, provide the following data by model and model year:

- a. Whether the TRANSMISSION was a standard accessory or an optional upgrade;
- b. Whether the TRANSMISSION was available as a stand-alone upgrade or only sold as a part of a vehicle upgrade package;
- c. The name of each applicable package;
- d. The other options and accessories included in the applicable package(s); and
- e. The stand-alone prices of the other options and accessories included in each package.

ANSWER: With respect to subpart (a), for 2017 MY Ford F-150 pickup trucks, the 10R80 transmission was standard on all models equipped with a 3.5L EcoBoost V6 engine, and for 2018-2020 Ford F-150 pickup trucks, the 10R80 transmission was standard on all models except those equipped with a 3.3L V6 engine. With respect to subpart (b)-(d) Ford will produce order guides, source books, and showroom brochures, which contain available packages and options, the names of applicable packages, and other options and accessories included in the packages. With respect to subpart (e), Ford will produce Price Lists for 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission, which contain information as vehicle option and accessory price.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to the allegations at issue, to 2017-2020 Ford F-150 vehicles equipped with a 10R80 transmission, to any particular pickup truck, to any particular vehicle package, accessory, option, or upgraded, or to a reasonable timeframe.

INTERROGATORY NO. 19: For each CLASS VEHICLE, identify by Vehicle Identification Number (VIN):

- a. The Manufacturer's Suggested Retail Price (MSRP);
- b. The price each dealer paid FORD for each vehicle;
- c. The price at which each vehicle was sold or leased;
- d. In which state each vehicle was sold or leased; and
- e. If applicable, the type of transmission package.

ANSWER: Ford will produce data from its North American Vehicle Information System (“NAVIS”), which will identify the number of 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission sold by Ford to independent Ford dealers in the United States, and will include the Manufacturer's Suggested Retail Price (MSRP), model, model year, transmission type, the dealer that sold or leased the vehicle to the customer, and the state where Ford sold them. Further, with respect to pricing, Ford will produce Price Lists for 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission. These Price Lists contain information as to base vehicle price, dealer price, dealer invoice with holdback price, and the suggested retail price. Otherwise, in general, Ford does not sell or lease vehicles to individual consumers. Instead, Ford sells new vehicles to independent Ford dealerships, who in turn sell or lease new and used vehicles to the general public, among others. Accordingly, Ford dealerships would or may have information regarding the price at which each vehicle was sold or leased to a consumer.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking information that is not relevant because it is not limited to a reasonable or relevant timeframe, to 2017-2020 Ford F-150 vehicles equipped with a 10R80 transmission, to the allegations in this case, to any particular pickup truck, or to any particular dealer or state. Ford further objects to this Interrogatory as overly broad in that it seeks information regarding the price at which each vehicle was sold or leased to a customer, which information is not in Ford's possession, custody or control.

INTERROGATORY NO. 20: If YOU are aware of any legal action relating to, or that may relate to, TRANSMISSION failure, including but not limited to personal injury suits, as to each:

- a. State the date you became aware of the legal action or claim;
- b. State the date and location of the incident involved in the legal action or claim and describe the nature of the defect alleged and the vehicle and components involved; and
- c. Identify the court, case caption, and docket number.

ANSWER: Ford is aware of certain legal actions involving 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift feel or shift quality concerns, including the instant litigation pending in the United States District Court for the Northern District of Illinois. Ford refers Plaintiffs to the pleadings, discovery, and other documents exchanged in the instant matter as to subparts (a)-(c). Further, facts and circumstances surrounding other legal actions are substantially dissimilar to those involved in the subject lawsuit. For example, factors such as owner use, operation and maintenance, as well as environmental conditions, will vary between the particular incidents. Other legal actions sometimes do not clearly state the basis for a claim or to clearly identify the alleged product defect. Ford will produce a list of lawsuits and non-litigated

claims in the United States received by Ford's Office of the General Counsel before January 1, 2022 that could reasonably be identified, which appear to concern non-injury or property damage claims in 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission and shift feel or shift quality. Ford's list will contain, if available, the file name, jurisdiction, court, docket number, accident date, service date, file status (i.e., pending or closed), Plaintiffs' attorney's name, and model/model year of vehicle, to the extent available.

Beyond this, Ford objects to this Interrogatory as overly broad, unduly burdensome, and seeking irrelevant documents and information because it is not limited to any particular litigation matter, a reasonable or relevant timeframe, 2017-2020 Ford F-150 pickup trucks at issue, to the claims in this case, or to the alleged defect at issue in the 10R80 transmission. Ford also objects to this Interrogatory as overly broad, unduly burdensome and seeking irrelevant information because it seeks information from other litigation without regard to the claims that were made or facts involved in the other litigation. The mere fact that another lawsuit was filed or that pleadings or discovery were exchanged in that lawsuit does not make it relevant or discoverable in a different case involving different facts and circumstances. The facts and circumstances surrounding other cases vary widely depending on any number of factors. Ford also objects to this Interrogatory as unduly burdensome because it seeks information regarding pleadings and discovery in this case, or letters and communications Plaintiffs' counsel exchanged with Ford, because that information is already in Plaintiffs' counsel's possession. Further, Ford objects to this Interrogatory because it is broad enough to seek documents and information protected from disclosure by the attorney-client privilege and/or work product doctrine that reflect the legal advice, mental impressions and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of General Counsel, or those working under attorney direction and supervision.

INTERROGATORY NO. 21: If YOU contend that a PERSON not a party to this action caused or contributed to the alleged defect of the TRANSMISSIONS, identify all such PERSONS and identify each PERSON and DOCUMENT having or containing information that supports your contention.

ANSWER: Ford has not yet determined whether a person, not a party to this action, caused or contributed to the alleged defects in the transmission. Ford's discovery and investigation is ongoing and Ford reserves the right to supplement or amend this Answer.

Beyond this, Ford objects to this Interrogatory because it seeks information protected from disclosure by the attorney-client privilege and/or work product doctrine, the joint defense doctrine and/or the common interest doctrine including information reflecting the legal advice, mental impressions, and legal strategies prepared for anticipated or pending litigation by Ford's attorneys, Ford's Office of the General Counsel, or those working under their direction or supervision.

Dated: February 25, 2022

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*Co-Counsel for Defendant Ford Motor
Company*

**pro hac vice* to be submitted

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

	x
	:
JUSTIN O'CONNOR, et al., on behalf of himself and all other similarly situated,	:
	Case No. 19-cv-5045
	:
Plaintiffs,	Consolidated with Case
	:
- against -	Nos. 20-cv-1981, 20-cv-2095, 20-cv-2612, and 21-cv-6540
	:
FORD MOTOR COMPANY,	Magistrate Judge Maria Valdez
	:
Defendant.	:
	:
	x

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument was served on February 25, 2022, on all counsel of record pursuant to the Federal Rules of Civil Procedure.

/s/ Jodi Schebel
Jodi Schebel